

REMARKS

Applicant thanks the Patent Office for the careful attention accorded this Application and respectfully requests reconsideration in view of the Amendment above and remarks set forth below.

In response to the Office Action, Applicant amended Claim 39 and added new Claims 44-65, in order to more clearly define the present invention over the prior art of record and avoid any basis for rejection under 35 USC Section 112.

On December 19, 2003, Applicant filed an Information Disclosure Statement (IDS) in the present Application via hand-delivery, and received the date-stamped Return Postcard acknowledgement of receipt of the same by the USPTO, but has not received the 1449 Form initialed by the Examiner. Applicant respectfully requests that the IDS be entered in the present Application, and that the enclosed duplicate 1449 Form be initialed by the Examiner and returned to Applicant.

Applicant has carefully reviewed the cited prior art reference US Patent No. 5,905,248 to Russell, as well as the prior art references cited in Applicant's Information Disclosure Statement, and none of the prior art references disclose, teach or suggest the present invention defined by the amended claims.

In particular, US Patent No. 5,905,248 to Russell et al fails to disclose, teach or otherwise suggest a retail-based consumer product information search and delivery system as claimed in Claim 53, that is installed in a retail store environment and which is driven by a manufacturer-managed Internet-based consumer product information management and delivery network that enables manufacturers and/or their agents to manage and deliver manufacturer-specified consumer product information resources to consumers having access to any one of a plurality of Internet-enabled consumer product information kiosks installed within the retail store environment, and further in amended Claim 39, where consumers can flexibly access such manufacturer-managed consumer product information hosted on the Internet (at locations

specified by URLs) using either the UPN, TM and/or PD symbolically linked to the URLs and stored in the relational database of the manufacturer-managed Internet-based consumer product information management and delivery network.

In contrast marked, US Patent No. 5, 905,248 to Russell et al discloses a method of and system for enabling transactions over the Internet by:(1) loading the byte code associated with a transaction-enabling Applet onto an Internet-based information server; (2) encoding an Applet within the structure of a bar code symbol; and (3) reading the Applet-encoded bar code symbol with a bar code symbol reader that is connected to a computer system running an Internet browser program so that the transaction-enabling Applet can be executed and the corresponding transaction supported on the computer system. Notably, US Patent No. 5, 905,248 to Russell et al. does not even hint at a retail-based consumer product information search and delivery system that is driven by a manufacturer-managed Internet-based consumer product information management and delivery network, for the purposes claimed.

Also, while US Patent No. 6,199,048 to Hudetz et al discloses a centrally-located database used to compare user inputted indicia (i.e. UPC numbers) with resource locators (URLs) and direct the user to a web page of a manufacturer where information may be found, US Patent No. 6,199,048 does not disclose, teach or suggest a retail-based consumer product information search and delivery system that is driven by a manufacturer-managed Internet-based consumer product information management and delivery network as claimed, wherein the consumer product information that is delivered to consumers through Internet-enabled consumer product information kiosks, is actively managed by the registered manufacturers of such consumer products and/or their agents.

By virtue of the system and network of the claimed invention, manufacturers can now ensure that the intended brand experience (designed by the brand or product managers of the manufacturer) is accurately and consistently delivered to consumers at retail points of display and purchase. Also they can now actively and flexibly manage and deliver UPN/TM/PD indexed product-related information resources to consumers in physical retail store environments, without the need to data warehouse consumer product related information

resources, wherever they may be hosted on the WWW, and thereby ensure that an intended brand experience (designed by its brand or product managers) is accurately and consistently delivered to consumers at retail points of display and purchase.

Also, brand and product managers of manufacturers can now create and manage Web-based information models for each of their registered branded consumer products by relating/linking the Universal Product Number (UPN), Trademarks (TM), and Product Descriptor (PD) associated therewith, to the Uniform Resource Locators (URLs) specifying the location of consumer product information resources on the Internet (e.g. WWW). By doing so, product/brand managers can create categorized menus (or networks) of valuable brand-building information resources for each registered branded product which, in turn, consumers can simply access through Internet-enabled retailer kiosks using any of the brand-related information keys (i.e. Uniform Product Number UPN, Trademark TM and Product Descriptor PD) associated with the URLs maintained in the claimed network's Internet-enabled relational database server.

No prior art reference, singularly or collectively, teaches such novel features, nor offers such benefits to vendors and consumers.

In view therefore, of the Amendment and Remarks set forth above, the present invention defined by newly amended Claims 39 and 44-65 is firmly believed to be neither anticipated by, nor rendered obvious in view of the prior art of record, and that the present application is now in condition for allowance.

Favorable action is earnestly solicited.

Enclosed in payment of the requisite extension of time fees, as well as the excess claims fees for the addition of three (3) claims (for a total of 2 independent, 23 claims in all) is Thomas J. Perkowski, Esq., P.C. Check No. 4258. The Commissioner is authorized to charge any fee deficiencies to Deposit Account 16-1340.

Respectfully submitted,



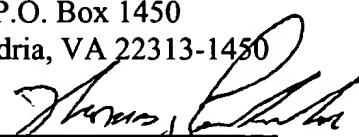
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